

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JOSEPH VAN LOON; TYLER ALMEIDA;
ALEXANDER FISHER; PRESTON VAN LOON;
KEVIN VITALE; and NATE WELCH,

Plaintiffs,

- against -

DEPARTMENT OF THE TREASURY; OFFICE OF
FOREIGN ASSETS CONTROL; JANET YELLEN,
in her official capacity as Secretary of the Treasury; and
ANDREA M. GACKI, in her official capacity as Director
of the Office of Foreign Assets Control,

Defendants.

No. 1:23-cv-312-RP

AFFIDAVIT OF PRESTON VAN LOON

Preston Van Loon declares as follows:

1. I am co-founder of Prysmatic Labs, a grassroots team of software engineers that build the code behind the Ethereum blockchain. The mission of Prysmatic Labs is to build a more fair, open, and censorship-resistant Internet. I previously worked as a software engineer at Google.
2. I am a citizen of the United States of America.
3. I currently reside in Tennessee.
4. I am not a terrorist or a criminal.
5. I do not launder money.
6. I am not a member of the government of North Korea or the North Korean Workers' Party.
7. I do not support terrorism, illegal activity, the government of North Korea, or the Korean Workers' Party.

8. I submit this declaration in support of Plaintiffs' Motion for Partial Summary Judgment in the above-captioned case.

9. I am familiar with all of the allegations set forth in the Amended Complaint filed in this action. Those allegations are true and correct to the best of my knowledge and belief.

10. I am personally familiar with the facts stated in this declaration.

Use of Tornado Cash

11. I own crypto assets.

12. I maintain a public ENS name that could be traced to me.

13. I have used Tornado Cash in the past and would use it again in the future to protect my privacy and security.

14. For example, I have used Tornado Cash on at least five occasions to privately execute personal transactions not associated with my publicly known wallet.

15. I used Tornado Cash because I believe it could protect my privacy while transacting. Using Tornado Cash allows me to experiment with decentralized applications to pursue new crypto business models without connecting them to my publicly known wallet address and personal identity.

16. As a result of OFAC's sanctions, 1.3 ETH of my funds are now trapped because I am prohibited from dealing with the Tornado Cash smart contracts in order to withdraw the funds. The trapped 1.3 ETH is worth approximately \$2,000 today.

17. If Tornado Cash were no longer designated, I would use Tornado Cash both to access those trapped funds and to continue engaging in personal transactions and experiments with decentralized applications.

I, Preston Van Loon, swear or affirm and declare under penalty of perjury that the foregoing is true and correct.



Preston Van Loon

Dated April 2nd, 2023

State TENNESSEE
County of DAVIDSON
City of NASHVILLE

Subscribed and sworn to or affirmed before me
this 2nd day of April in the year 2023.



Notary Public
(sign and affix seal or stamp)

